

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

<b>JEREMY BRADLEY PEARSON,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 4:18cv843 SNLJ</b>
	)	
<b>JOSEPH MORRELL,</b>	)	
	)	
<b>Defendant.</b>	)	

**MEMORANDUM**

This matter is before the Court on review of the file. Plaintiff Jeremy Pearson claims that his constitutional rights were violated during an arrest by St. Louis police officers in 2016. He claims that, upon being apprehended for an attempted robbery, the officers tried to coerce him into explaining the whereabouts of stolen items by lifting up on his handcuffed hands until plaintiff's shoulder "popped." Plaintiff alleges he was taken to Barnes Jewish Hospital where it was determined that his shoulder was broken and torn in two places.

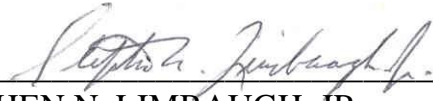
This Court ordered the clerk to send to plaintiff subpoenas so that he may request documents from non-parties. It appears from plaintiff's communications with the clerk that plaintiff is diligently attempting to seek discovery from non-parties before the discovery period closes. However, plaintiff needs to be advised that he cannot send interrogatories to third parties through his subpoenas. If plaintiff wants to ask questions of third parties, he must take depositions of those witnesses. Although plaintiff is

proceeding in this case *pro se* and *in forma pauperis*, plaintiff must pay the expenses involved for any such depositions, including the court reporter fees, transcript fees, witness mileage, and so on. To the extent plaintiff seeks documents from non-parties, plaintiff may send subpoenas seeking such documents. However, plaintiff is advised that defense counsel is required by Rule 26 to supplement disclosures with any documents it obtains through subpoenas that the defendant may use to supports its defenses.

To the extent plaintiff seeks sworn statements from witnesses, plaintiff cannot compel such statements. However, plaintiff might informally seek such statements, which witnesses could send to plaintiff as sworn declarations under 28 U.S.C. § 1746, which allows a sworn statement to be used as an affidavit where the person writing the statement includes the following language:

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date).  
(Signature).

Dated this 6th day of May, 2019.

  
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STEPHEN N. LIMBAUGH, JR.  
UNITED STATES DISTRICT JUDGE